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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/734,502

12/12/2003

M. Khaledul Islam

555255012669

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33787 7590 09/26/2005

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EXAMINER

IQBAL, KHAWAR

ART UNIT

PAPER NUMBER

2686

DATE MAILED: 09/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/734,502	ISLAM ET AL.	
	Examiner	Art Unit	
	Khawar Iqbal	2686	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7-16 and 23-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7-16 and 23-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-6, 17-22 and 29-32 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5-13-05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-6,17-22 and 29-32, drawn to process message service with timestamp, classified in class 455, subclass 466.
- II. Claims 7-16 and 23-28, drawn to process identity models (R-UIM) interface, classified in class 455, subclass 558.

Inventions I and II are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because process message service with timestamp. The subcombination has separate utility such as process identity models (R-UIM) interface.

2. During a telephone conversation with Mr. John J. Oskorep on 9-1-05 a provisional election was made without traverse to prosecute the invention of II, claims 7-16 and 23-28. Affirmation of this election must be made by applicant in replying to this Office action. Claims 1-6, 17-22 and 19-32 withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

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Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(I).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 7-16 and 23-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thome et al (20040203620) and further in view of Mittal (20040043788).

5. Regarding **claims 7-12** Thome et al teaches a method of providing consistency in Short Message Service message timestamp formatting for mobile communication devices, comprising (figs. 1-8):

providing a timestamp mode indicator field in the removable user identify module for indicating a timestamp mode of operation of a home message center as one of a coordinated universal time (UTC) mode and a non-UTC mode (para. 0035,0042-0045). Thome et al also teaches a display 216, a memory 224 and a user interface 228. One or more types of memory 224 may be utilized including, but not limited to, RAM, ROM, flash memory, magnetic memory, magnetic memory, such as a micro-hard disk drive, or optical memory (para. # 0027). Thome et al does not specifically teach removable user identity module for a mobile communication device.

In an analogous art, Mittal teaches removable user identity module for a mobile communication device (Para. # 0006-0008).

The method involves transmitting a text message to a mobile station (10) over a network. The message is received and a traffic channel connection is established between the station and a device management server (38). An identity of the station is established with the server. Operating parameters are downloaded from the server to the mobile station via the channel and are stored in a removable user identity module (42). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Thome et al teaches by specifically adding features used for operating parameter in a mobile station stored in a removable user identity module (R-UIM) or mobile telephone taught by Mittal.

Regarding **claims 13-16** Thome et al teaches a mobile station (MS), comprising (figs. 1-8):

Memory (224), a stored indicator in the memory which is indicative of a timestamp mode of operation of a home message center as one of a coordinated universal time (UTC) mode and a non-UTC mode (para. 0027,0035,0042-0045); a mobile equipment (204) which includes an interface (para. 0035,0042-0045); a processor (220), a visual display (216) coupled to the processor (220); the processor being operative to: receive a Short Message Service (SMS) message having timestamp data (para. 0035,0042-0045); convert the timestamp data from a Coordinated Universal Time (UTC) format to a non-UTC format when the stored indicator indicates that the timestamp data has the UTC format (para. 0035,0042-0045); and cause the visual display to display the timestamp (para. 0027,0035,0042-0045). Thome et al also teaches a display 216, a memory 224 and a user interface 228. One or more types of memory 224 may be utilized including, but not limited to, RAM, ROM, flash memory, magnetic memory, magnetic memory, such as a micro-hard disk drive, or optical memory (para. # 0027). Thome et al does not specifically teach R-UIM interface.

In an analogous art, Mittal teaches R-UIM interface (Para. # 0006-0008). The method involves transmitting a text message to a mobile station (10) over a network. The message is received and a traffic channel connection is established between the station and a device management server (38). An identity of the station is established with the server. Operating parameters are downloaded from the server to the mobile station via the channel and are stored in a removable user identity module (42). Therefore, it would have been obvious to one of ordinary skill in the art at the time the

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invention was made to modify the device of Thome et al teaches by specifically adding features used for operating parameter in a mobile station stored in a removable user identity module (R-UIM) or mobile telephone taught by Mittal.

Regarding **claims 23-28** Thome et al teaches mobile equipment, comprising (figs. 1-8):

a Processor (220); a wireless receiver (212) coupled to the processor (fig. 2); a visual display (216) the processor being operative to: receive, through the wireless receiver, a message having timestamp data (para. 0027,0035,0042-0045);

Short Message Service (SMS) convert the timestamp data from a Coordinated Universal Time (UTC) format to a non-UTC format when a stored indicator in memory (224) of the removable user identity module indicates that the timestamp data has the UTC format (para. 0027,0035,0042-0045); and cause the visual display (216) to display the timestamp (para. 0027,0035,0042-0045). Thome et al also teaches a display 216, a memory 224 and a user interface 228. One or more types of memory 224 may be utilized including, but not limited to, RAM, ROM, flash memory, magnetic memory, magnetic memory, such as a micro-hard disk drive, or optical memory (para. # 0027). Thome et al does not specifically teach removable user identity module for a mobile communication device.

In an analogous art, Mittal teaches removable user identity module for a mobile communication device (Para. # 0006-0008).

The method involves transmitting a text message to a mobile station (10) over a network. The message is received and a traffic channel connection is established

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between the station and a device management server (38). An identity of the station is established with the server. Operating parameters are downloaded from the server to the mobile station via the channel and are stored in a removable user identity module (42). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Thome et al teaches by specifically adding features used for operating parameter in a mobile station stored in a removable user identity module (R-UIM) or mobile telephone taught by Mittal.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Khawar Iqbal whose telephone number is (571) 272-7909.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Marsha D. Banks-Harold can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you

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have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

Khawar Iqbal


CHARLES APPIAH
PRIMARY EXAMINER